IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 500 OF 2004.

Shikandar Yakub Pathan & others. ... Appellants.
Versus.
Vasant Namdeo Mali & others. ... Respondents.

Ms.Vaidehi Maispurkar holding for Shri D.S.Mhaispurkar
for the Appellants.

CORAM : ABHAY S.OKA, J.

DATED : 27th July, 2006.

P.C.:

1. Heard the learned Advocate appearing for the Appellants. The Appellants are the original Plaintiffs. The Courts below have held that the Appellants have failed to establish that the suit property is of joint ownership of the Appellants and the Respondents. The Appellate Court has held that in the plaint the Appellants have not pleaded as to what was the foundation of the joint ownership claimed by them.

2. Both the Courts below have recorded findings of facts based on appreciation of oral and documentary evidence on record. No substantial question of law arises. The Second Appeal is dismissed.

Judge.